IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

GREGORY J. KUDASZ,)
Plaintiff,)
V.)
MANATRON INC.,)
GREGORY A. EFFREIN,) Civil Action No. 3:10CV106
DOES 1-30, INCLUSIVE,)
Defendants.)
)
)

EXHIBIT 4

TO

MANATRON INC.'S COUNTERCLAIMS AGAINST PLAINTIFF

Plaintiff's October 15, 2009 Email to Waukesha County entitled "Hitching your Future to Manatron"

From: greg@fansites.com [mailto:greg@fansites.com]

Sent: Thursday, October 15, 2009 1:40 AM

To: registerofdeeds@waukeshacounty.gov; countyexec@waukeshacounty.gov;

Allan T. Brown (Allan.Brown@mecklenburgcountync.gov); Greg Effrein

Cc: dfalstad@waukeshacounty.gov; trolfs@waukeshacounty.gov;

rhutton@waukeshacounty.gov; jdwyer@waukeshacounty.gov; sjjeskewitz@wi.rr.

com; dfalstad@waukeshacounty.gov; phaukohl@waukeshacounty.gov; tschellinger@waukeshacounty.gov; jheinrich@waukeshacounty.gov;

dswan@waukeshacounty.gov; peterwolfflaw@yahoo.com;

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pjaske@waukeshacounty.gov; wzaborowski@waukeshacounty.gov;

jpledl@waukeshacounty.gov; wkolb@waukeshacounty.gov;

gyerke@waukeshacounty.gov

Subject: Hitching your Future to Manatron

I am writing you today with some information I hope you take into consideration. This is in response to the enthusiastic comments at the Executive Committee meeting last month.

Who I am:

I am an ex-Manatron employee formally assigned full time to Mecklenburg County NC Register of Deeds. You may consider me disgruntled if you like but that does not change the facts that I outline below. They are 100% truthful and verifiable.

I have CC: Greg Effrein, VP @ Manatron so he can dispute any notes here or give an explanation. I have also included Allan Brown, Assistant Register Of Deeds of Mecklenburg NC who can verify or comment on their website issues.

My goal here is to help you with due diligence which can be hard to do if there is a rapid change in a technology field.

These comments are not to speak negatively of Mr. Biagioli and Mr. Behrend. Quite

the contrary, they should be applauded for the work they've done on this. The issues I am bringing to you have really snowballed in the past few months and current guidelines for diligence simply do not include this level of detective work. Basically, what they are wanting to do is good. And the Manatron solution looks good. At least on paper.

Background:

The GRM Recorder software being marketed by Manatron first appeared as "A2", a product by Hart Intercivic. Hart sold the division that was responsible for recording to Manatron in 2007 which then sold itself to Thoma Bravo in 2008. Since the acquisition of Manatron by Thoma Bravo, and especially the last few months, there has been a slew of reported failures of new implementations, severe problems that affect constituents, and some very bad press. In addition, I have documented problems with the Mecklenburg ROD website that should be a warning to anyone considering a similar product.

I cannot speak as to the reason of all the bad press. I can give you headlines and links and you can read them yourself. However, with any acquisition there are inevitable staff changes and I STRONGLY ENCOURAGE YOU to ask the following questions before making a major systems purchase:

1) How many FULL TIME W2 employees are trained and dedicated to the FIELD support of this product and are available to DEPLOY in person for the go-live and subsequent in persons needs such as service level checkups and emergencies?

Full time = Not dedicated to other tasks such as providing IT support for the company.

W2: Not contracted from another company or outsourced.

Dedicated to field: Not telephone helpdesk, project management or consultant. These are the people that are the heavy lifters that can respond in person to any emergency with the product.

Example:

If there are 5 people on a team and one of them is a manager and one is a temp and one is dedicated to other duties, that would leave 2 dedicated to the field.

Guess how many Manatron has? Don't guess. Ask!

2) How many other customers have this product and what is the ratio of customers to field techs?

Mecklenburg County Website Errors:

Search errors:

Several times PER DAY the search functionality fails on the Mecklenburg website. This appears to happen every hour but I have not verified by going through every hour of the day. You can test this yourself by going to http://meckrod.manatron. <u>com/</u> and click past the disclaimer. Then go to http://meckrod.manatron.com/search. asp?cabinet=opr and do a search around the top of the hour. You may need to try a minute before hand or so to catch the error. To see the error in action you can also view http://www.youtube.com/watch?v=AT41oF604oE

Image replication errors:

Mecklenburg uses a routine to move copies of images from their local office to a data center in Houston. This allows for two important features. First, this is how the images become available to be viewable on the website. Second, this allows a disaster recovery point (theoretically) in case of an outage here in Charlotte. Thing is, this feature has failed several times just this year. And Manatron doesn't seem to know when this happens. In fact, when it does happen, it seems to be me that notifies the county that then notifies Manatron. I have a video on what this looks like too but haven't uploaded it yet.

Finally, a lot can be learned about a company by the personality and actions of its managers. I'm not going to say anything about Mr. Effrein at this time, but listen to the following from the manager in charge of field support for the GRM Recorder product: http://www.youtube.com/watch?v=VArSlhcrZoo who reports to him.

Headlines:

HOT OFF THE PRESS:

Courthouse administrative officials line up to air grievances against revenue software http://www.stjamesnews.com/homepage/x593073755/Courthouse- administrative-officials-line-up-to-air-grievances-against-revenue-software

Courthouse administrative officials lined up at Tuesday's Board of Commissioners meeting to air their grievances against the Manatron Government Revenue Management Software System (GRM).

The Commissioners, in a letter by an employee at the courthouse, heard why the GRM system is not working as it was thought it would.

None of the 11,000 Beaufort County residents whose car tags expire this month has been mailed vehicle renewal notices from the county: http://www.islandpacket.com/news/local/story/938702.html

Board dissatisfied with Manatron – (http://www.casslaketimes.com/index.php? option=com content&view=article&id=753:board-dissatisfied-withmanatron&catid=26:government) with comments like:

"How did we get sucked into this thing (with Manatron)?" asked Hubbard County commissioner Dick Devine. "We're out there hanging over a cliff and this outfit hasn't met a deadline."

"Martin property appraiser rescinds tax roll values after finding calculation error" (\$18.7B worth) http://www.tcpalm.com/news/2009/jul/14/martin-propertyappraiser-rescinds-tax-roll/ and the apology from Bill McKinzie, the president of Manatron, sent via e-mail to Martin Co. FL:

"We have had years and years of success. However, in rewriting Martin County's programs to satisfy changes in Florida's laws this year, we have suffered a series of project complications and errors," McKinzie wrote.

"Our programmers have been diligently correcting the problems," McKinzie wrote. "We apologize to the Martin County Property Appraiser and the county taxing authorities for this inconvenience."

"Proceedings of the County Board Emergency Session - September 15, 2009"

http://www.jacksoncountypilot.com/Stories/Story.cfm?SID=23283

"Motion was made by Commissioner Ringkob and seconded by Commissioner W. Tusa to suspend implementation of the Manatron GRM software, and approving and authorizing the County Coordinator to sign a letter to the Minnesota Counties Computer Cooperative (MCCC) stating that Jackson County will no longer be committed for additional expenses approved by MCCC and/or the Manatron Tax User Group for the development of the Manatron GRM Software System"

Commissioners wait on tax software - http://www.jacksoncountypilot.com/Stories/ Story.cfm?SID=23124

"I recommend suspending implementation of Manatron until it's finished and stabilized," said Farley Grunig, director of property valuation and tax. "We need a product that's going to work, for the most part, as installed. ... No doubt at some point the software is going to work slick, but I don't want to jeopardize our ability to do the work we need to. ... It doesn't look like it can do the job today."

"Manatron has come a long way, but it's not capable of carrying a county through an entire tax year," said Dennis Fields, director of county information systems.

FRANKLIN COUNTY COMMISSIONERS MEETING http://www.franklincounty.in.gov/ commissioner/Meetings/2008%20Meetings/Comm%2012-29-08.pdf

"Susan Jones, Auditor reported that her office is having software issues with Manatron in getting final distribution completed. Not able to get duplicates balanced. Have been working with them since the middle of November, have been emailing daily since December 19th and have not heard from them since then. Request permission to explore another tax program."

Manatron Update - County Administrator Pat Melvin http://www.co. mcleod.mn.us/department files/CntyAdmin/Minutes/09-8-09.pdf

"The staff does not have confidence in the Manatron system or the time necessary to put information in both the Manatron system and the ACS

PROCEEDINGS OF THE MARTIN COUNTY COMMISSIONERS TUESDAY, JUNE 16, 2009 - http://www.co.martin.mn.us/Commissioners/ CBMinutes/2009/BOCmin%2006-16-09.pdf

"Forshee continued and asked that the Board send a letter to the Minnesota Counties Computer Cooperative (MCCC) stating Martin County's disappointment that Manatron

has failed to meet any of the time tables established for this project and each additional delay enforces our concerns that we will not receive a fully working tax system. Forshee

stated he would request to include in this letter that Martin County not be held liable for any new expenses for the Manatron project and that we be reimbursed for the cost of the

extension of the ACS contract for the remainder of 2009. Dan Whitman and Steve McDonald shared their concerns that Manatron has not delivered a proven product to the pilot counties.

Whitman stated."

Clearwater County Board of Commissioners commenced on April 14, 2009 - http://www.co.clearwater.mn.us/Calendar/Popout.aspx?ID=224

Treasurer – Charlene Olson presented the following motion: Motion by Commissioner Nelson, seconded by Commissioner Chevalier and carried, the Clearwater County Board of Commissioners authorizes the Clearwater County Assessor, Auditor, Treasurer and MIS Director to make the decision to withdraw from the Manatron Project.

Greg Kudasz
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